15.41¼ hrs.

*DECLARATION AND PUBLIC SCRUTINY OF ASSETS OF MINISTERS AND MEMBERS OF PARLIAMENT BILL

[English]

SHRI KASHI RAM RANA (Surat) : Sir, I beg to move for leave to introduce a Bill to provide for declaration and public scrutiny of assets of Ministers and Members of Parliament.

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill of provide for declaration and public scrutiny of assets of Ministers and Members of Parliament."

The motion was adopted.

SHRI KASHI RAM : I introduce the Bill.

15.41½ hrs

*UNEMPLOYMENT ALLOWANCE BILL

[English]

SHIR R. SAMBASIVA RAO (Guntur) : Sir, I beg to move for leave to introduce a Bill to provide for unemployment allowance to all educated unemployed persons and for matters connected therewith.

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill to provide for unemployment allowance to all educated unemployed persons and for matter connected therewith."

The motion was adopted.

SHRI R. SAMBASIVA RAO : I introduce the Bill.

15.41¾ hrs.

*DEPOSIT INSURANCE AND CREDIT GUARANTEE CORPORATION (AMENDMENT) BILL

(Amendment of Section 16)

[English]

SHRI RAM NAIK (Mumbai North) : Sir, I beg to move for leave to introduce a Bill further to amend the Deposit Insurance and Credit Guarantee Corporation Act, 1961.

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Deposit Insurance and Credit Guarantee Corporation Act, 1961."

The motion was adopted

SHRI RAM NAIK : I introduce the Bill.

15.42 hrs.

CONSTITUTION (AMENDMENT) BILL

(Omission of article 44, etc.)

[English]

MR. DEPUTY-SPEAKER : Now we shall take up item No.19 – further consideration of the motion moved by Shri Bhagwan Shankar Rawat on the 6th March, 1997. Shri Banatwalla is to continue his speech.

SHRI SURESH PRABHU (Rajapur) : Sir, last time when Shn Banatwalla was speaking, the Chair had given a ruling that immediately after him, I would be able to speak because be had made certain remarks on which the clarification had to be provided by me.

SHRI G.M. BANATWALLA (Ponnani) : That was about Illegal Migrants. Today we are not discussing Illegal Migrants. You forgot. Today we are discussing the Uniform Civil Code. So, the hon. Member has forgotten and mixed up the things.

MR. DEPUTY-SPEAKER : Anyway, you speak now.

SHRI G.M. BANATWALLA : Sir, It was there even before that. So, there was no such thing.

MR. DEPUTY-SPEAKER : Shri Banatwalla, you have already spoken for 21 minutes please be brief.

SHRI G.M. BANATWALLA : Sir, this is very important thing. Let us have a national debate on this.

MR. DEPUTY-SPEAKER : You have already taken 2 minutes.

SHRI G.M. BANATWALLA : I will cooperate.

Mr. Deputy-Speaker, Sir, I had already submitted that the concept of a uniform civil code is based on certain

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* Published in the Gazette of India, Extraordinary Part-II, Section-2 dated 21.3.97

[Shri G.M. Banatwalla]

fallacies. Now, unfortunately, various extraneous matters had also been brought in during the discussion. For example, there was a reference to polygamy among the Muslims. It is a point extraneous to the concept of a common civil code because there may be a uniform civil code with provision for bigamy. It is possible. Therefore, such extraneous matters have been brought in.

For example, in Goa, the polygramy among the Hindus is protected under certain circumstances. Therefore, I say that this question of polygamous marriages and other were brought in which are extraneous to the concept of a uniform civil code. They may be relevant for what they call as reform in the personal laws of certain communities. Such reform, as far as the Muslim personal law is concerned, is not needed. However, I may point out that the rate of polygamy among the Muslims is the lowest as compared to the various other sections of the people.

I may refer to the report of the Committee on the Status of Women in India which was presented in 1974. It considered the incidence of polygamous marriages as per a study of the census of India in the year 1961. The report gives us the incidence of polygamous marriages among various sections of our people and these figures also show that among the tribal communities the rate of polygamous marriages is 15.25 per cent and it is 7.97 per cent among the Buddhists and 6.72 per cent among the Jains and it is 5.8 per cent among the Hindus and it is the lowest at 5.7 per among the Muslims.

Now Sir not only this – but the incidence of polygamy among the tribals is on the increase. During the decade 1931-40 it was 9.53 per cent. During the decade 1941-50 it rose to 17.53 per cent and during the decade 1951-60 it rose further to 17.98 per cent. All these things are already there. But then, as I said, various extraneous matters have been unfortunately brought in. There was a reference.

[Translation]

MR. DEPUTY SPEAKER : Banatwallaji Hindu and Muslim aspect have been linked with every thing. In their context I am reminded of an Urdu couplet.

"Munafarat ki jung mein dekho kya-kya hogaya

Subjiyan Hindu huin bakra Muslman hogaya"

SHRI G.M. BANATWALLA : It is a very good couplet. But I have been assessing that when I am on my legs you are reminded of so many couplets.

MR. DEPUTY SPEAKER : Alright. It is because of fact that both of us know urdu language.

SHRI G.M. BANATWALLA : That is why I would l to express my thanks. Please preserve some couplets those people who have brought that extraneous mater which I am refering, in the bill. I often say that we ha to keep the word 'Hum' in our mind as Hindustan emerg out of 'Hum' and therefore the word 'Hum' is very import In Hindi it is 'Ha' and 'Ma' and in Urdu it is 'Ha' and 'Hu 'Ha' indicates the Hindu and 'Ma' indicate the Muslm and other Minorities. When there words 'Ha' and 'M joined, together, the word Hum emerged and Hindus is because of we people. But problem is that cert cencepts are being brought forward which divide the nati

MR. DEPUTY SPEAKER : It does not matter. problem will be solved.

SHRI G.M. BANATWALLA : Yes, it is the only Hou where this problem will be solved. The most import works of the House, of the country, as Parliamentaria and Jurists have stated, is the resolution of conflict.

[English]

That is the resolution of conflict.

Therefore, the discussion here is most welcome. exmaple, we are told about divorce. The Prophet, m peace be upon him, has said that divorce is the worst th among all the permitted things. The Prophet, may pea be upon him, has further said that when a divorce pronounced, heavens shake. These traditions, the *Sunnah*, have their impact on Muslim society also.

Then, I must point out here what is said in Yu Rowther us. Sowramma AIR 1971, Kerala 271. At that tir Justice V.R. Krishna Iyer was a judge in Kerala High Co Justice V.R. Krishna Iyer said about the Islamic Law Divorce :

> "Indeed a deeper study to the subject discloses surprisingly rational, realistic and modern law divorce."

There are the various factors. As far as divorce concerned, the United States of America leads the en world. I will not take the time of the House by going i the history of divorce, by tracing the history of divo among Hindus. But as you know very well, there was concept of divorce during the Vedic period. Thereaf

during the *Smriti* period, the idea of divorce was put forward by Narad and others. In the third period, we have discovered divorce as a remedy for ill-conceived, inconvenient and ill-honoured marraiges. After the Hindu Marriage and Divorce Act, 1955 and its major amendment in 1976, the incidence of divorce has been on increase.

However, all these things, as I said, are extraneous to the concept of the Uniform Civil Code. The Uniform Civil Code is advocated on the ironic belief that it will promote unity. As I have already submitted earlier and in good details, it will divide the nation.

Mr. Deputy-Speaker, Sir, last time we were told about the Muslim countries. Here, I must clarify the misunderstanding that is there. Let it be known that no legislation has been introduced to change the traditional Islamic law in countries like Saudi Arbia, Libya, Yemen, Bahrain, Afghanistan and others.

I am not taking the whole list In the case of Syira, Iraq, Pakistan and certain other countries, the few changes brought about are only in the nature of replacing any particular principle of one school of Islamic jurisprudence by another school of Islamic jurisprudence. So it is clear that the entire work is within the framework of the Islamic urisprudence. In the case of only two countries, perhaps, there is a break from the *Sharait*, but there also, there is a strong movement to go back to the Islamic Law. Nevertheless, as I said earlier, we look not to the Muslim countries, but to the *quran* and the *Sannah* for our guidance.

Now, the hon. Member has referred to the judgement in Sarla Mudgal's case. In Sarla Mudgal Vs Union of India - 1995, 3 SCC 635, Justice Kuldip Singh had said that all these questions of marriages, divorce, etc. have nothing to do with religion and therefore, the articles 25, 26 and 27 are not attracted. But then I must point out here that in the same case, we had Justice R.M. Sahai. He gave a separate note and in the separate note Justice R.M. Sahai said :

> "Marriage, imheritane, divorce, conversion are as much religious in nature and content as any other belief or faith.

This is from paragraph 44 that I have quoted. The hon. mover of the present Bill totally omitted to bring this particular fact and extract before this House. I must, thereofre, say that on this question, the two judges have different and since there were only two judges, there is no majority ruling also. Justice Kuldip Singh could add such an opinion in his judgement. It is therefore, strange and it is contrary even to article 145 (5) which says :

> .no such opinion shall be delivered by the Supreme Court save with teh coucurrence of a majority of the Judges present at the hearing of the case .

But here there were only two judges with two different opinions on this particular aspect.

Mr. Deputy-Speaker, Sir, I have already submitted that the concept of a Uniform Civil Code is, in essence, a negation of our cherished objective of 'Unity in Diversity'. The concept is destructive of all the plural nature of our society. It will be the end of secular democracy in our country. I must reiterate that the Uniform Civil Code will prove a disintegrating force. The various communities, the tribals and even the Hindus, all have their own personal laws. Look at article 371A (i) and (g). These articles specificatlly protect the customary laws and social practices of the Nagas and the Mizos.

16.00 hrs.

The Constitution was amended and people of Nagaland and the people of Mizoram were given this particular guarantee to bring them in the national mainstream and to put an end to the secessionist activities that were there. Therefore, I say that let us not run after mere mirages and concepts that will divide the entire country. Even Hindus, as you know, follow different schools of thought or jurisprudence whatever you may like to say. Any forcible imposition of any Uniform Civil Code upon all is bound to create a lot of tension in our country.

As far as the Muslim Law is concerned, it is a divine and revealed law. It has its roots in the Quran and in the Sunnah, that is to say the traditions of the Prophet (peace be upon him). The Muslim personal Law represents the religious obligation of a Muslim as a Muslim. Therefore, I must say that the rules contained therein are not optional. They are the boundaries which cannot be crossed.

16.01 hrs.

(PROF. RITA VERMA *in the chair*)

The Quran says :

> "These are the limits ordained by Allah. Do not go beyond them and if anyone exceeds these limits, he is the transgressor.

[Shri G.M. Benatwalla]

This is Surrah 2 Ayat 229.

Sir, I must make it extremely clear that a Muslim as a Muslim cannot and will not surrender to any abrogation or interference with the 'Shariat'. The 'Shariat' is dearer to a Muslim than his own life. I must, therefore, impress upon this House that it is a fallacy to consider that Uniform Civil Code will promote unity. No. On the contrary, as I said, it will bring about lots of dissensions. I have also pointed out that in the United States of Amercia the laws differ from State to State and nobody says that these differences in the laws are a threat to the unity and the solidarity of the United States of America.

Here the personal laws of any community have never been an obstruction on the path to unity and integration whether at times of peace or whether at times of war. Therefore, these are fallacious things and insistence on this concept merely brings nothing but dissensions and teensions. I must refer to what Dr. Ambedkar said in the Constituent Assembly when this Article 44 about Uniform Civil Code was under discussion. He said :

> "No Governemnt can exercise its power in such a manner as to provoke the Muslim community to rise in rebellion. I think that it would be a mad Government if it did so."

The tribal all over our coutry and several communities have their own laws. These laws have never obstructed and come in the way of our national unity and integrity. I am happy that, at least, the present Government cannot be called mad according to the dictum of Dr. Ambedkar. I must thank the Prime Minister and let it go on record that we are grateful to the Prime Minister and the United Front Government that they had the courage to file very recently an affidavit in the Supreme Court saying that it is not possible for the Government to impose any Uniform Civil Code forcibly.

[Translation]

SHRI MOHAN RAWALE (Mumbai South-Central) : They are afraid of Muslim voters.

[English]

SHRI G.M. BANATWALLA : You may even accuse Dr. Ambedkar that he has said it for Muslim votes, but I think that shows the closed mind that is there.

I will not take more time of the House. Before I forget, I was also told taht there are criminal laws of Islam and why do we not insist upon them. That is another fallacy. you know that in the Independence movement, we had a very large presence of the Muslim Ulemas and the religious personalities. An important reason among various reasons for the large presence of the Muslim Ulemas and the religious personablities was the interference of the Britishers in the Muslim law. The Britishers want on abolishing various aspect of the Muslim law which had created this particular situation. There was a thinkinig that with independent India, Muslim will have the run of these laws as usual. Today also, in the same spirit, let the Sharia Courts be established as an integral part of our judiciary and then let the criminal laws of Islam also be imposed. It will be in the interest of the nation to do so.

Madam Chairperson, I appeal to the Mover of the Bill asking for a Compulsory Uniform Civil Code not to create dissensions, not to generate tensions and not to divide the nation. I appeal to the Mover of the Bill that in the interest of unity of the country not to talk about such disintegrative and disruptive idea as the Uniform Civil Code and to withdraw his Bill. Of course, I am sure, the Government will also make such as appeal. But I am trying to take the precedence. It is good enough that we have had such a discussion and since a long time, I have been speaking on the various aspects and the fallacies that are there among them.

I appreciate the concern for gender justice and I assure him that as far as we are concerned and our system is concerned, it is most concerned about the gender jsutice. If there are other communities who want any changes in their own personal laws, it is a matter for them to decide. Of course, I do not want to take up the time of the House by going into the question to the gender justice, and by now putting before you all the various provisions which say that Islam has given gender justice to the maximum and in the most happiest form. It is more than what you find in any other prevalent system, I claim. of course, we are open for a discussion on that. The present discussion, it may serve or may not serve any purpose, was limited only to Uniform Civil code.

There is a parrot-like repetition to have it and to keep tension and pressure in the country. I hope that with all this discussion, the Bill will now be withdrawn and that we will continue to march forward hand-in-hand to solve the various problems of the development concerning the nation.

SHRI CHITTA BASU (Barasat) : The Bill has been brought under the provision of the Directive Principle of

the Constitution. It is very necssary to understand what constitutes Part IV of the Constitution says. From Article 39 to Article 51, there is a long list of wishes and statements made by the Constitution signifying that the State will make endeavours to frame the State's policy on the basis of that principle, Let me read out Article 44 from the Constitution itself so that there may not be any misunderstanding as to what I like to say in order to make my position clear on the subject. Article 44 states as follows :-

"The State shall endeavour of secuie for the citizens a uniform civil code throughout the territory of India.

Let us begin from Article 39 :-

"The State shall, in particular, direct its policy towards securing –

(a) that the citizens, men and women equally, have the right to an adequate means to livelihood;

(b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

(c) that the operation of the eoncomic system does not result in the concentration of wealth and means of production to the common detriment;

(d) that there is equal pay for equal work for both men and women;"

I say that there are a large number of items which the Constitution proposes on which the Government should frame its policies so that objective can be gradually achieved.

MR. CHAIRMAN : I request the hon. Members not to make running commentaries.

SHRI SURESH PRABHU (Rajapur) : It is an empty House.

SHRI CHITTA BASU : It is not a question of emptiness. it is a question of principle. I also want to be on record on this Bill by expressing what my party has given me as the Party's view.

SHRI SURESH PRABHU : This is the time for Private Members Bills. Can we aslo have Party issues to be added in this ?

SHRI CHITTA BASU : It is not that I am a depoliticised animal. I am a political animal. I do not believe in the theory of de-idealisation. I do believe in ideology. We are here to represent idelogi. We are here not to be yesmen or good men.

These are the many aspects of the fundamental objective of the Government. May I put a simple question to you as the Chairperson, have the Government been able to implement all those Directive Principles ?

No. It has not bene done. if you allow me to say, I would say that within the present system, it will never be able to implement all those objectives unless a new social order is created. The new social order can be created only by a social change. In what way that social change will take place is a matter of debate and Parliament will become the instrument of the social revolution or some other method are necesary. It is a great ideological battle. We shall have to continue that battle inside and outside the House. I would say that all these things have not been implemented. I further want to say that the Government will not be able to implement these things unless the old social order is changed by a new political system.

Part IV of the Constitution speaks about the Directive Principles. Part IV A of the Constitution of the country also speaks about the duty of the citizen. Article 51A syas :

"It shall be the duty of every citizen of India–

(a) to abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem;

(b) to cherish and follow the noble ideals which inspried our national struggle for freedom;

(c) to uphold and protect the sovereignty, unity and integrity of India;

(d) to defend the country and render national service when called upon to do so;

e) to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women ...

This is also a national duty. This is also a part of the Holy Book. Madam, when we raise the question of abolition of omission of Article 44, are we really doing our duty as prescribed in the Constitution itself ? we do not. The omission of Article 44 does not harmonise social and different relgious forces in our country. It does not unify

[Shri Chitta Basu]

India. It does divide India. it does bring in the spirit of disunity. It does not strengthen the spirit the harmony. It does not harmonise the relation among different communities. By not doing so, we would be failing to perform the duties as citizens of this coutry, as prescribed by the Constitution of the country. I want the answer from the House itself, not from you. Part IV is a part of the Constitution. Part IVA is also a part of the Constitution. If Part IV and Part IVA are changed, what will happen ? According to me, any change, particularly the oblition or omission of Article 44, as is sought in this Bill, negates completely Part IVA. I did not like to raise this question earlier. Therefore, it is to be answered.

As you have already said, I would not take much time or make an ideological dissertation. Ours is a secular country. It is not a theocratic State. We have to primarily understand what secularism really means. Secularism is not irreligious, secularism is not atheism. If somebody feels that secularism is equal to irreligiosity – non-believer or believer – it is a wrong interpretation. It is not a scientific interpretation of secularism. Secularism is not non-atheism; secularism, in the scientific explanation or interpretation, is delinking the religion from the State. Governemnt is Government has got nothing to do with religion. It is not synonymous also with the equality of all religion. If you accept any of the definitions other than what I have said, you have to lend ourselves into trouble particularly in the plural character of India. India ceases to be India when you denounce secularism based on the scientific interpratation of the word. I know, seculansm in Europe and secularism in India may not be one and the same. But the commonalty of the idea is that it is the plural society. And in a plural society, we shall have to harmonise, we shall have to be tolerant. We are to inculcate the spirit of unity in diversity. Even in a single comunity, there is a diversity.

If we come to personal laws or personal customs, there is no end of it. My friend was right in saying that. You cannot impose your Hindu rule on Naga society. They have got customary laws. I have seen it. I have learnt it and I have understood it. I am in agreement with him. Therefore, even in Manipur, Hindus do not have the same marriage laws and divorce laws. There is no such uniformity even in the Hindu society. And I nope, the same is the case the in Muslim society. Of course, I am not a *Mullah* or a Muslim. As far as I understang, the climate of India is diversified. And the diversification cannot but reflect the individual's life. Your life is also influenced by that diversity; my life is also influened by diversity. No one can live above diversity. Today, the world is like the star planet. This is the progress of human civilisation. Therefore, I have my objection to this omission of Article 44. It will be firstly in contradiction with Article 4(A) whcih is the Chapter called Duties. Therefore, I cannot destroy, I cannot kill Article 4(A) of the Constitution simply by omitting Article 44 of the Constitution, which is the major, primary and specific objection of the Bill.

In this case, the law and the court have got a very minimal role to play. The primary role will be played and should be played by the society and the community itself. Even if a law is passed, that is not going to reform the society, that is not going to remodel or refeshion the civil life, the society. Whether a person has got more than one wife or less one wife – I do not know whether there can be a less than one wife . . .

SHRI K. PARASURAMAN (Chengalpatu) : One wife is enough. *(Interruptions)*

SHRI CHITTA BASU : That is right. This is the social progress.

Madam, since you are there, I appeal to you that you are not merely a women but you are a personality of your own which may be different from other men also. Men and women are equal. It is at her own discretion if a woman has a particular method of life style. We cannot also ignore the very fundamental right of a person who happens to be a woman.

MR. CHAIRMAN : I wish all other men are as generous as you.

(Interruptions)

[Translation]

MR. CHAIRMAN : I am saying that other Members should also be generous as you are.

SHRI CHITTA BASU : You should also speak in the same spirit.

[English]

Therefore, reforms are needed.

Even the court is divided on this issue. I do not like to dilute on this. My friend has done it. I am in agreement with Justice Sahai's note. The same Judge says: "It is more with the society then with the court." So, let us go with

the soceity. Soceity needs to be changed and it can be changed by its own volition. Whether a Muslim man will have more than one wife or two wives of three wives, if he goes by his religious belief, the law cannot prevent him from doing so. That does not harm the country's unit also. I do not know how many Hindu men have got one wife and more women without being legally married.

Madam, you do not know this. We have got the experience. One woman came to me for giving the certificate that she happens to be a legally married woman or legally married wife of such and such a man. She said, if that certificate was not produced she would not get pension from the treasury office.

So, you have to reform the society. For reforming the society, you have to remove poverty first. Without removing poverty, you cannot remove the cultural backwardness. If you cannot remove the cultural backwardness, you cannot have the fullest opportunity for development of your own personality. By 'you' I mean, the masses of our country. What is needed is the full scope and opportunity for the development of all. We want developemnt of one and all which is tantamount ot development of all.

Let us have that social view. If that social view is accepted, I think, uniform or different or varied code of life will be simply a matter of the past.

Therefore, let us all try of reform the society in our own way and try tocreate a climate that the society the community or the individual changes the life, the thought process according to the changes in the scoeity.

Madam, I am very much pained to say that this kind of amendment of the Constitution is being sought for when we are approaching fast towards the 21st Century of civilization.

[Translation]

SHRI SANTOSH KUMAR GANGWAR (Bareilly) : Mr. Chairman, Sir, I rise to support the bill inroduced by Shri Bhagwan Shankar Rawat. In fact to a serious discussion was held in this regard when some years ago Shah Bano case was under discussion. After that a verdict given by a bench of two judges of the Supreme Court this subject again came under discussion. My senior friends, who spoke prior to me expressed their opinion on this subject. That is why I feel that there should be no matter of unhappiness in this regard As the both judges unanimously gave their verdict that it is necessary to form a Uniform Civil Code for both the aspects the security of the oppressed people and to maintain unity and integrity of the natin. They further added that first of all the civil laws relating to minorities should be made logical so as to bring religious and cultural harmony. Here our aim is not to disturb harmony.

Just now one of our friends said that India is because of them but India is in existance long before. The culture of our country is such that who soever came here preferred to settle down here itself. It is the culture of Hindustan. In each country of the world atrocities were committed on each and every one but in this country everybody was received with love and affection and offered a place to settle.

I think that the provision under article 44 clearly states that the state will make efforts with regards to form a uniform civil code for all citizens of India and thus get it implemented accordingly. I things earlier Governments did not make any effort in this direction. They did not have any concern about it. I would like to know from the Honble Minister whether merely writting of a single sentences was enough ? After independence i.e. for the last 50 years what works has been done in this direction in the country ? Separatist tendency; in our country has continued to increase for the last 50 years. No effect was made to bring in uniformity which is resulting in the division of all of us in communities, castes and sub-castes. After independence if we had taken this aspect into our consideration, today this situation would not have arisen in our country. In the other countries we prefer to be indentified as belonging to that region or that state instead of belonging to India. Now who can be held responsible for such feelings of separatism ? The people who remained in power earlier can be held responsible first. After verdict of the Hon'ble Judges of the Supreme Court, definitely it was necessary that we should seriously contemplate on this issue. We should discuss how to remove this feeling of seperatism which is brewing among us. To resolve this issue we shall have to take some aspects into our consideration. I do not mean that we should separate any community or any culture from the society, we should join our hards to discuss some issues. We should not take the issue on basis of vote banks and who so ever brigns the vote banks in the discussion of the concerned issue, they definitely are not talking about the unity of the country.

I am not going to go into detail, as far as my point is concerned. I want to say this only that whatever differences exist among us we should resolve them well in time. Today the need of the hour is to see as to what

[Shri Santosh Kumar Gangwar]

extent we have adopted the direction which the founders of the constitution have drafted. We continue to make amendments to the constitution as we wish. We have made 73rd and 74th amendments to the constitution. Whether we have been able to conform ourselves to the situation. We are talking about reservation to all categories but even today it contains divisions and we have not been able to adopt the division which we had thought after independence. It was written in the constitution that the reservation policy would continue for 10 years and after that if would either be taken into consideration or it would be withdrawn. But now the people say that they shall continue if for 200, 300 years. Today we are not warned about the raising the living standard of the common people and common men may have faith in each other. Today we want to take every issue in such a manner as how to create differences among the people so as to have their votes in your favour. Our friend Shri Bhagwan Shankar Rawat has introduced this Bill Keeping in view all these aspects because today India is loosing its identify gradually. We shall have to do something with a view to bring uniformity.

I do not want to further elaborate this law here, our other colleagues will speak on it, but I would certainly like to say that me should not allow to develop any sense of division amongst ourselves. The way the gulf between man and man is in the country is widening today, calls for efforts to bridge it. Today 80 per cent of the people of the country want one kind of law while 20-25 per cent of the people want another kind of law. So far as I can understand, we should not interfere in each other's affairs, and this House should take initiative for considering this matter. We tend to set up committees on various subjects, then will it not be fit to constitute a committee on this matter to find out the subjects which require amendment or alteration. Even after 50 years of independence, the country is still going in the same direction. While me boast of entering the 21st century, we also tend to take a narrow view of various a matters. We must get rid of this narrow vision and start thinking a new.

The issue raised by Shri Bhagwan Shankar Rawat in this House is very important. We go by the court's view on many matters, give utmost importance to its verdicts, but when the same does not suit us, me try to change it so as to suit our convenience. This is what happened in the Shah Bano case. I feel some people do not hesitate to even criticies the court calling its verdict as bereft of carrying any meaning. But in may vies we should consider the issue rising above narrowmindedness.

Without going deep into this issue, I would certainly like to appeal to the House that this being an issue fit to be considered seriously, a committee should be set up to decide as to which course we would like the country to take and whether we are interested in maintaining the unity and integrity of the country ? For that purpose uniform civil code is needed. It is not a matter concerning an individual but one which calls for taking the whole country into confidence and ponder over if. We are of the opnion that there are as a number of matters regarding which a common civil code is most essential, inspite of some people advancing differing arguments in this regard.

Therefore, without dealing with it at length and associating myself with the spirit of the Bill brought forward by Shri Bhagwan Shankar Rawat, I would appeal to the House that we should think over the subject rising above politics and with full confidence. Mr. Chairman, Sir, I thank you for having given me the time to speak.

MR. CHAIRMAN : The time for discussion on the Bill is going to be over by 4.37 PM. If the House so wishes, the time for discussion may be extended by one hour.

SEVERAL HON. MEMBERS : Yes, the time may be extended.

MR. CHAIRMAN : O.K. The time for discussion on this Bill is extended by one hour.

SHRI SYED MASUDAL HOSSAIN (Murshidabad) : Hon'ble Mr. Chairman, ever since I have joined this House, I have witnessed discussions here on similar Bills on 4-5 occasions and this is the sixth time that such a discussion is being held. I want that, to begin with, we should try to understand what personal law is ? Personal law is a law which does not affect any other community. Our criminal law is common other civil laws are also common but that law is personal law which is meant for a particular community or a particular family. I can adopt Hindu law if I so which, likewise anybody from the other side can adopt Muslim Law of his own accord – it is optional for an individual. The issue keeps coming up here time and again.

Just now Shri Banatwalla put forward many arguments here. I don't want to go into them, we will have to keep in mind that a vast country like India has various communities and provinces, every community having its own district practices rules and laws. Whether it is

Christian Common Code, Hindu Common Code, Muslim personal law or other, each one has its own customs regarding marriage which provide as to who can marry whom and with whom marriage is taboo.

Mr. Chairman, in Southern Gcod India, marriage between maternal uncle and sister's daughter is the most pertinent point in this context. whether it is to be retained or dispensed with. Muslim women have the right on Mehrana. Whether this right is to be retained or dispensed with. If this right is dispensed with, it will not be just to the Muslim women. This there are a number of questions which are have been creating many new complieations.

SHRI MADHUKAR SARPOTDAR (Mumbai North-West) : Madam Chairperson, I read in the newspapers today morning that in Afghanistan, the Taliban have issued an order where by it has been enjoined to keep the windows and the screens of cars closed so that a woman may be invisible from outside. Such is the edict issued by the Taliban. I would request the hon. Members to come out with any information which may be available with them.

SHRI SYED MASUDAL HOSSAIN : Madam Chairperson, I am not a Taliban. I do not belong to Afghanistan either. I belong to India and the subject of the speech is what the Indian law should be like. I may tell you, . . . *(Interruptions)*

PROF. RASA SINGH RAWAT (Ajmer) : As per the Shariat the personal law is the same.

SHRI SYED MASUDAL HOSSAIN : Personal law is different between Shias and Sunnis. Personal law is different between Hanafi and Ahladis. The Dawoodi Vohras of Gujarat are guided by the Hindu personal law. Jinnah Sat Saheb who was reponsible for the country's dismemberment, was also guided by the Hindu personal law. Not only this, he also believed in the theory of ten incarnations of god. The man to whom the grave incidents of Mumbai are ascribed i.e. Dawood Ibrahim too has not longer to do anything with the Hanafi school of personal law, rather he is connected to your and shine personal laws.

I do not fully agree to what Banatwalla Saheb has said. A Muslim as rather too much inclined to follow the tradition with which the law of the land has also come to he associated. Anyway, I do not want to make a lengthy speech. I am making it short and here I would like to make the point that the shape of society does not undergo a change by merely altering the law. Changing the shape of the society is somthing different to changing the law. Now the question is regarding policy any. It may be seen in Parliament . . . *(interruptions)*

PROF. RASA SINGH RAWAT : Madam chairperson, The Law Minister is not present in the House. while the subject being discussed here pertains to law.

[English]

Madam, this subject is concerned with law. The Minister of Law is not present in the House and nobody is taking note of what the hon. Member is saying.

SHRI SYED MASUDAL HOSSAIN : The other hon. Ministers are present here. It is a collective responsibility.

SHRI ANANTH KUMAR (Bangalore South) : We are discussing the Constitution (Amendment) Bill. We request that the hon. Minister of law should be present in the House.

THE MINISTER OF WELFARE (SHRI BALWANT SINGH RAMOOWALIA) : Madam, I am taking note of what the hon. Member is saying.

MR. CHAIRMAN : The other hon. Minister is taking note of what the hon Member is syaing.

SHRI BALWANT SINGH RAMOOWALIA : The hon. Minister of Surface Transport, Shri T.G. Venkatraman and me are law graduates.

[Translation]

SHRI SYED MASUDAL HOSSAIN : Madam, should I go on with your permission or with their permission.

MR. CHAIRMAN : With the permission of the Chair.

SHRI SYED MASUDAL HOSSAIN : There is no hindrance from your side, interruptions are from that side.

It is good that the Law Minister has come. I did not move on to the point to which I wanted to, because the Law Minister was not present here, I did not raise this question for that reason :

Mohanji I am not raising the question which I wanted. to raise because the Minister was not here. I am raising it now. I do not know whether Bhagwan Shankar is a lawyer or not

SHRI GIRDHARI LAL BHARGAVA (Jaipur) : He is a lawyer.

SHRI SYED MASUDAL HOSSAIN : I am not aware but certainly there are other lawyers sitting to your side. If would perhaps have been letter if other laws of India would also have been explored before introducing this law. Do you really want to have a common code ? If it were really so, you would have been aware that a common code is already there in India. There is the Hindu Personal law, Muslim personal law. Christian personal law and also a Common Law which is not compulsory. It is optional. I am explaining that, after which I would like to put to you one question, the questions is : whether you have opted for it or not.

Whether you have heard of the Civil Marriage Act ? Any Community or any person can go in for a marriage under the Civil Marriage Act. Anyone who has married once under the Civil Marraige Act can neither divorce nor go in for a second marriage without the courts permission.

Law of succession would be applied on them differently. Not according to the Personal Code but according to the Indian Succession Act. I have deliberately adopted it because I belong to the Communist Party.

SHRI SATYA PAL JAIN (Chandigarh) : Your party is in favour.

SHRI SYED MASUDAL HOSSAIN : I am also in favour of Uniform Civil Code but I am not in favour of imposing it. If any communist favour it, it is welcome.

SHRI MOHAN RAWALE : It is the voice of the Citizens of India.

SHRI SYED MASUDAL HOSSAIN : Those who are opposing are also Indian Citizens.

SHRI MOHAN RAWALE : Ofcourse they are opposing but you are not opposing.

SHRI SYED MASUDAL HOSSAIN : Those who are opposing, those who doesn't want, they are also Citizens of India. We should not forget this fact. I belong to the Communist Party I have adopted this Code. I did not get married by Calling a Mulla I have married under the Civil Marriage Act. Neither I can give disorce nor I can marry again. Ofcourse this has benefitted me in one way that I will not be required to give Mehar. I am saved from paying Mehar . . .*(Interruptions)*. I have not to pay Mehar . . . *(Interruptions)*. There is no relation of divorce with Mehar. Even you don't know this.

[English]

'Mehar' is a consideration for marriage and not for divorce.

[Translation]

After my death and after the death of my wife or who soever dies, my property will not go to the communist party but it will be divided.

[English]

It is done not according to the Muslim Personal Law, but according to the Indian Succession Act.

[Translation]

We have a common code. Have any of you adopted it ? *(Interruptions)*. It you wish you can adopt even now. Those who are married they can approach the court and get their marriage registered, this way their previous legal marriage would be cancelled and marriage registered under the Civil Marriage Code would be Legal and would ramain so for ever. Lung power would not be so effective as the heart power so speak by heart. Those who are pringing this Bill again and again. Their intention is not good. I have already spoken 3-4 time prior to this. I would request you that chances of this bill being passed during this week are very bleak. Discussion on this bill would go on even after April. I hope those of my B.J.P. and Shiv Sena friends who are whole heartebly supporting this bill would come here with marriage certificates after getting their Civil Marriages registered. . . .*(Interruptions)* It is a fact that it is optional and anybody can have this option. Even otherwise the country is facing lot of problems. There is an atmosphere of evenity and hatred everywhere. We have to bring the people together in the interest of the country by creating an atmosphere of friendship and brotherhood. I wish that the same voice should come from my other communist friends. It would be a matter of happiness if they do so *(Interruptions)*

SHRI MOHAN RAWALE : It is the voice of a Muslim Women.

SHRI SYED MASUDAL HOSSAIN : It is really very surprising that a Muslim woman whispering to Rawale Ji and says that it was her voice. I am neither talking of common code nor of communist party but I am talking of a Muslim woman who is whispering to him instead of me. I have to ponder over this.

I am opposing this bill because the time is not yet ripe for this to do. We have to wait and we do not know as to how long we have to wait The minority Communities may not think that somthing is being imposed on its by the majority communities. The'll they agree to this we have to wait.

SHRI NITISH BHARADWAJ (Jamshedpur) : Mr. Chairman Sir, a very sensitive matter has been raised in the Hones. Though it is a matter of law and law and order but for the last two weeks I am listening to the debate on the law and order situation. Earlier also there was a debate on this subject. I don't know this debate has taken the colour of religion. Today two Hon'able members who spoke earlier to we have linked this bill with their parties and said that he supported the Uniform Civil Code but he belonged to that party and his idealogy is that.

I am an educated citizen of this country and today whatever I would like to speak before the house would speak emphasing as to how India would be heading towards development.

Therefore whenever there is any question of Law and order, Law or regulation is involved I knowing or Unknowing link it with the nation because Constitution was framed during the last 50 years and so many laws were enacted thereunder. But because of lack of adequate interest towards the country today we are talking much about communities, religions castes and other things, we are not talking about the nation as a whole. This is the fiftieth year of India's Independence we know that every thing, every law and every system is required to be changed but this change should be brought with a view that it should evoke and promote national feelings to the desired extent.

Since my childhood till date I have heard the speeches of number of leaders inside and outside of this house. I have witnessed the activities inside the house whenever shown. Number of slogans were coined during the last fifty years in this country like poverty should be eradicated, this should be given to that community and that should be given to this community. Policy of reservation was also adopted. But today it is the high time to ponder whether we have achieved the very purpose for which such policies were framed. Poverty is still there, Unemployment is also there. Instead of decreasing all these problems have increased.

The Constitution of India is Secular. The word 'secular' has been interpreted here but we have forgotten that the correct meaning of this word is "Sarvadharma Som Bhav". I don't think 'Sharvadharma Sombhav gives weightage to one religion and lets down the other or it creates a feeling of second grade citizens amongst some people. Such things have no place in it. Today knowingly or unknowingly all discussions lead to a discussion on Castes Communities and religion. In today's India religion is seen to mean a Hindu, a Sikh, a Christain, a Jain or a Bond. I have born in a Hindu family. I was made to learn all most all the Hindu Scriptures and the one which influenced the most, is Bhagwat Gita where in Srikrishna has said this verything that whenever there attempts are made to belittle or degrade the religion. I am born is a new incarnation. Today when this very definities of relgion has been charged I would like to ask the hon'ble & experience members of this Honse that five thousand years ago when there was no Islam, when there was no Christinity or Jainism what was the Correct meaning of religion at that five when Arjun was directed to do his duty and he was asked to follow the Kshetriya Dharma because he was a Kshetriya. At that time there was nothing like Hindu, Muslim, Sikh or Charistion. The only meaning of religion was to do ones duty to wards his nation, towards his Society and towards his family and Ulternately the Kshetriya Dharam was followed.

17.00 hrs.

[SHRI P.C. CHACKO *in the chair*]

Just now one of our colleages have said that he adopted religion of his own and he followed the code of religion. Ofcourse he was very right. It somebody has adopted Kshtriya Dharma he should follow that. It is his duty to uphold that Ultimately it leads to only one definition of religion that we have some duty towards our country and that is paramount.

I see this bill with this angle. Whenever elections are held people belonging to different communities, castes and religions gather together and highlight their problems. For solving these problems they want better candidates and seek their cooperation to solve their problems.

But the situation has come to such a pass that whenever elections are announced people start looking for candidates belonging to their own castes, belonging to their own religion and own communities. Being an educated citizen of India I feel that this is something unfortunate for the country. Therefore, in the 50th year of India's Independence it is a time for us to change this attitude. So this Bill has to be looked from this angle.

We people visit so many places. We go to Ajmer Sharif, we go to Shirdi Sai Baba and people from all

[Shri Nitish Bharadwaj]

religions visit these places. I get an inspiration from these places that this society can be integrated if such a feeling of mutual love and trust is inculcated in the hearts of the people.

There was a war in 1857 which was fought by the people of India. As Banatwala ji said that Hindu and Musalman constitute the word 'Hum'. This group of people 'Hum' fought the war and made the enemy to flee. Today we should remember the year 1857. This war came to an end in 1858. Thereafter the Britishers thought of a plan to create a wedge between the Hindus and the Muslims. There was a formal proclamation in this regard by Queen Victoria and Lord Viceroy used to get orders from her majesty that he should follow the policy of divide and rule.

When India got Independence, our Constitution was framed. It was decided that India would be a republic and secular country and the country would be governed with a spirit of 'Sarva Dharam Sambhav'. But I want to ask; what is going on today is really going on in the interest of the country ? If you promote the interests of one community or religion then naturally the people of other religions and communities feel offended.

Here the question of personal Law is involved. This country has a culture with multicity of traditions. We have been following those customs and traditions for the last thousands of years culture and Personal Law are the result of those traditions. therefore, whenever we think of changing them it hurts its badly. It is, of course correct that it hurts us but it becomes our duty, the only of those who are present here that we should ponder over this question. The statistical analysis which Mr. Banatwala has given, pertains to polygamy only. It shows that ploygamy cases are more amongst Hindus than Muslims. My submission is not regarding number of cases of ploygamy. It is, of course correct that polygamy is prevalent amongst Hindus also. It is also prevalent amongst Muslims. It is in every society. Tody it is prevalent in every religion. There is no question of percentage. But the real question is whether this is approved of by woman ? Have we ever thought about their feelings ? Do we indulge in polygamy with their consent ? If muslim society has approved of it in their personal law and it is in their religious books also but have they ever enquired from their wives as to how they are leading their lives ? Whether Hindu women are ever asked as to how they are leading their lives ?

It is also a fact that some Hindus Islam just to marry two or three wives but will Islam welcome such persons? Can the rights of a women be given a go by in the name of personal law. It is high time to think over all these questions. I would say that discrimination is there in every religion, so there must be a Uniform Civil Code and it has been provided in Article 51 A(e) :

[English]

> "To promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic, and regional or sectional diversities, to renounce practices derogatory to the dignity of women".

[Translation]

I want to draw you attention and the attention of the members of this House towards these words.

[English]

> "It shall be the duty of every citizen of India to renounce practices derogatory to the dignity of women."

[Translation]

When we marry two women, three women do we really follow the provisions of the Constitution being a citizen of this country ? I am not talking about any specific religion. Question is not that it is written in a book of Muslims and it is not written anywhere in Hindu books. Is this the subject matter of debate only ? I would say that bringing this bill we cam certainly check the menace of polygamy whether percent of it is less amongst Muslims and more amongst Hindus. I would say that this code would provide a great relief to all the women of the country. While indulging in polygamy no body asks his first wife. It is a question of attitute. Even today one Hon'ble member mentioned that Madam Chairman rose to this post because of her qualities. We have some lady friends when I enquired from them as to how you have achieved these heights, we are really proud of you, they replied that their husbands are broad minded any they have allowed us. This have become the very attitude of women of Indian society. It is therefore necessary to bring this Uniform Civil Code to change their very phyche, to give them some relief and to support them as it would protect their rights. 'I know that it is a very sensitive issue. Mr. Banatwala has repeatedly said; if this Uniform Civil Code is brought.

[English]

"There will be a division in this country."

[Translation]

I do not understand when according to the statistical analysis the percentage of polygamy is less amongst muslims then.

[English]

How will this country be divided, and why will this country be divided only because this Bill has come ?

[Translation]

Whenever we talk of protecting women and their rights and when it does not suit to the whims and fancies of some men they talk of division of the country. It really surprises me. He quoted here Ambedkar Ji and said :

[English]

"Don't compel the Muslim community to get into rebellion.

[Translation]

I want to inform the House, through you sir, that Ambedkar Ji said this in a different context. He said these words when riots were going on in 1947. There was tension amongst the Hindus and Muslims. So do not distort the statement of Ambedkar ji for your vested interests. It would belittle Ambedkar Ji. So this should not be done and I do not agree with him.

He said one thing more that women have more opportunities, under Islam, they are given more rights. This bill I feel, is a bill for women. I am talking about the statement which he gave. Mr. Sarpotdar Ji has just said that in Taliban so many restrictions have been put on women. This is the news in today's papers, Sir, Equpt is a country where Muslims are in majority and women there have problem. When we were residing in London, a very good film was shown, which was made by a Muslim activist. I am telling this here because it has been said here that Islam gives protection to the rights of women. Even today in a country like Egpt when then women get married their clitoris is mutilated. Their clitoris is cut off. This has been depicted in this film. It is done so that at the time of consumation the women may not have any feeling. This is called circumcision. This too is going on in the Muslim society. Therefore, I donot understand as to what Muslim Society you are talking about Banatawala Ji, you please tell me. Sir, personally I feel that this bill should be brought. As I have said earlier that it is a question of national feeling. Much has been done during the last fifty years. Whatever law we enact today, whatever decision we take today should not be a step backward. Therefore, I must say this bill is meant for protecting the rights of women. I do not agree with you that this is being imposed. If some party brings this bill you say that it is being imposed and when some other party brings it you say that this is not being imposed. I would say that we are not sitting here to have party politics only, we are sitting here for doing people's welfare. We are sitting here for doing things in the interest of the masses. I would again say that this is a very sensitive issue. Sir, I would like to urge this House, through you, that a delegation of intellectuals from all religion like Hindu, Muslim and Sikh etc. may be constituted and that delegation may be asked to ponder over this question: whether personal laws can be uniform or not ? And if it is possible, then a unanimous decision be taken by them.

If we lay waste all our energy in mutual bickerings even after 50 years of our Independence, I think we will be moving two steps backwards from the point of view of the development of India. Either a decision may be taken in this House to the effect that personal law, federal law or the state law should be segregated, but in that case you should make me understand the reason that when our brethren belonging to the Muslim Community from both India and Pakistan go to Britain and America,

[English]

Then the law of that land reins supreme on them. The law of the land in Britain is acceptable to the Muslims in Britain. But why the law of the land, if that is going to supercede the personal law in India, not acceptable to Muslims in India ?

[Translation]

This is my question. I am speaking here not to hurt anybody's sentiments. I am just putting across my views. I am placing views of both sides, both these should be weighed together. If we continue to fight amongst ourselves by raising a single issue, like me have all along been doing in the past for the last fifty years, and exhaust all our energy in that, it is a quite useless exercise, because it will not take India further on the path of development.

Sir, this Bill must be introduced because it concerns the rights of women. Therefore, either a committee may be set up and a direction may go through you to the Honse and the Ministry to separate the personal law and the federal law with the option for all individuals to continue

[Shri Nitish Bharadwaj]

to follow their respective personal laws, then there will be the state law and a civil code of the state which will be unifomly applicable to all like the criminal procedural law, Therefore, if we want to have peace, tranquillity and development in India, I consider that very essential after weighing both the things. As of now, I see more advantages, in the Bill particularly its provisions with regard to the rights of women, therefore, I support this Bill in this House. . . *(Interruptions)*

SHRI SYED MASUDAL HOSSAIN : For giving rights to the women, feudalism will have be brought back first . . *(Interruptions)*

SHRI NITISH BHARADWAJ : Mr. Chairman Sir, this is the 50th year. This year has a special significance for us, therefore whatever mistakes, faults and errors have been committed so far have to be confessed and analysed in order to more further. But if the Govt. goes to the extent of deleting a line from the President's Address whch line only read this much that whatever faults and mistakes have been there on our part will be looked into by us before framing further policies, then I think this sort of attitude of the Government is not proper, that deleted portion of the President's speech would take care of every policy and the process of law-making, two-four Ministers are present here. . . *(Interruptions)* please don't enter into quarrel some arguments experienced persons are present here. Although it may not be wise to take the issue of deleting a line from the Address any further, yet if we keep the spirit of that line in mind while framing policies, it will be much better for the future of India.

*SHRI K. PARASURAMAN (Chengalpattu) : Hon'ble Chairman, I rise to speak on behalf of Dravida Munnetra Kazhagam about the Bill introduced in this House by Shri Bhagwan Shankar Rawat.

The Constitution Amendment that is sought to be made pertains to article 44 of our Constitution. If reads "the State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India". He wants to bring in 51(C) Part IV-B "The State shall secure for the citizens a uniform civil code throughout the territory of India". What is the difference between these two ? He wants to take away the word 'endeavour'. After that it won't read as "the State shall endeavour to secure" but it will merely read as "the State shall secure". He thinks that he will achieve what he intends to have by way of merely lifting the word 'endeavour'. But our founding fathers who framed our Constitution have taken enough care to weigh the pros and consequences of it, of putting it in the directive principles of State policy instead of doing it otherwise. In these 50 years of independence we have carved out several States. These linguistic States were formed to preserve intact the languages of those while preserving the culture, customs and traditions of those language speaking people. Our founding fathers thought that these cultural entities shall remain without interfering with one another's affairs and shall have the freedom to preserve their own cherished cultural traditions. They thought if fit that this would ensure personal rights of all the citizens of the country. One of my colleagues who spoke prior to me said that our Constitution has been amended more than eighty times in these 50 years. He added that this amendment should also be effected now. If we seek to amend our Constitution there should be a method. I request that colleague of mine to bear in mind that also. Such amendments were made by this House and it was brought about by members like us who marshalled their thoughts and advanced their arguments in proper perspective. That is why we want to emphasise that this amendment should not be made ignoring the right perspective with which it was conceived and given to us in our Constitution. There might have been arguments for and against the amendments so far made. My colleague who has moved this Bill seeking an amendment should realise this also. When Shri Banatwalla spoke, he said that we find polygamy prevalent in certain sections of the society. It is common among the Muslims and several tribal communities. I think it is more among tribals. It has also come to my notice that some of them go for one wife every month. Can we reform them all at once ? Can we interface with their rights ? We now discuss about this amendment and we also believe that this is a normal legislation. But how can we reform overnight the abnormal customs ? Their culture is such. I am wearing shirt. Another may come in coat and suit. A Sardarji may be wearing a beard. Someone else may believe in going clean shaven. We find varying customs and traditions in our society. Such is the diversity of culture in our country. India is a country with pluralism in culture. Our late lamented leader "Anna" said some 50 years ago that there cannot be one culture, one god, one religion. He also said that humanking is one race and there can be only one god. Can you adopt and follow this principle. Gods are one too many here. If you are going to accept one god then we can accept one culture. Then it would mean that we would reform. Christians believe in one god. Muslims

* Translating of the speech originally delivered in Tamil.

have one god. Sikhs believe in one god. Whereas Hindus have got innumerable gods. At a time when we cannot unite all these gods how can we unite all men and how can we do this through this amendment ? Will it not divide the country ? In order to keep the country united, our founding fathers legislated the way they have done it. They were very serious about it. Their concern was to keep this country united and intact. They thought that the unity and integrity of the country can be preserved only by way of giving freedom to different cultural groups to follow their tradition. Every cultural group has its own identity. That individuality must be allowed to continue. Identities of different groups should not get washed away in a confluence. It was a well thought out enactment by our elders in the Constituent Assembly.

Do we have unity among us today ? Leave alone the religious difference, all of us cannot learn and we are not showing mutual respect to each other. We even believe in sacrificing the children from other community. I would like to recall an incident here wherein a statue of an upper caste leader was given a wash for the simple reason that it was unveiled by a leader from a lower caste. That statue was given a 'Ganga Snan'. When we have this kind of divide and difference among us, how can we think of uniform civil code. So the time has not ripe as yet to bring about an amendment in our constitution.

If we want to preserve the unity and integrity of this country, we can have uniform law in every other thing in our political set up but not in the civil code. Civil law and criminal law are two different things. Civil law can be uniform but civil code cannot be but all criminal laws can be equal and all the citizens will be equal before those laws. Expressing my strong opposition to this move to amend the constitution seeking uniform civil code, I conclude my speech.

[English]

SHRI A C. JOS (Idukki) This is a very controversial issue whether to have a common Civil Code or not. This debate has been going on in this country right from the advent of freedom. For 50 years we hve been debating about it. I agree that time and again, judicial pronouncements have come out giving many directions. Of course, the judiciary in a democracy has to clean the mess, if at all, that is created by somebody.

In 1986 the *Shah Banu* case had come. It was a fillip to the prophets of protagonists of a common Civil Code that there are certain infirmities in the personal laws of each community and so it had to be changed. Thereafter, the recent decision of the Supreme Court came which added fuel to the fire sayings that a common Civil Code is to be enunciated. The confusion or the misunderstanding is that the Supreme Court has never said or never gave any direction to the Central Government to formulate a common Civil Code throughout the country. They, on discussing the case, suggested or expressed their opinion that a common Civil Code may be 'desirable'. A 'direction' from the Supreme Court is different from expressing a desirability.

Lot of things are desired in this country. Lot of things are desired in our personal life. Lot of things are desired for social welfare. But all desirable things cannot be practicable. If all desirable things take shape and are put to programme, our country would have been a Heaven. So, all desirable things cannot happen. That is one.

Secondly, the Court will say 'desirable'. The Government or the political parties or the administration will have to look into the different aspects when they desire or when they take an action on the desirability.

So, my first assumption or contention before this August House is that the Court has never given any direction. It is the business of the political leadership, it is the business of the Government whether to have a common Civil Code or not. After that famour decision, having recetly the Supreme Court has come out with another direction that the Court was is not the place to decide it.

So, the Government has to decide it. When we are asking the Government to decide, the Government has to look into all the shades of public opinion of this country. The Government has to look after all the communities of the country. India is a very complex country. There is no other country in the Comity of Nations as complex and complicated as India is. We are talking as to how many languages we have. Is there any count of our languages ? I am told, we have got about 1,200 languages with scripts and we have got 21 languages included in the Eighth Schedule. There was only one country in the world which is more or less parallel to India and that was Soviet Union where they spoke 16 languages. Now, the Soviet Union had broken up. After the breaking up of Soviet Union, we are yet to find a country like ours wherein so many languages are spoken.

Then what about the religion ? How many religions do we have ? Has anybody got the count ? According to me, sections and sub-sections will come to about 1,800

[Shri A.C. Jos]

religions. There are different castes. Each caste is not our making; it is an historical making. Our *Chaturvarna* has come into existence because of our *Puranas* and *Vedas*. They were not created. But it happened so. We have got a legacy. We inherited those things. But this is a wonder, with all these disparities and divergence, we have been able to pull on as a country for the past 50 years without and major problem. So, each religion has historically developed the personal laws. Those laws are administered by the religion of different forms. It is enshrined in our Constitution that we would safeguard our fundamental rights. It is clearly enshrined that all the religions, all the castes, right to worship and right to everthing would be safeguarded in our Constitution. Our Constitution is not a simple document. It is an historical document. Whatever be its faults, our Constitution is considered to be one of the sacred and valuable documents produced by the best intellects of the world.

The Directive Principles are there. At that time we thought that we would strive to have a Common Civil Code. Sir, for a moment, you please look into the Directive Principles of our Constitution. There also, as I said, many things have been directed by the Constitution. The Constitutior directed that total prohibition should be implemented in this country. Did we do it ? The prohibition has been lifted wherever we have implemented. I am even told that much propagated prohibition in Andhra Pradesh is going to be lifted by the present Chief Minister. So, many directions have been given. At that point of time, the Founding Fathers of our Constituion thought and dreamt–according to me they dreamt–many things for the nation. But that is not practicable. We have to take into consideration all the minorities, even the smallest of the minority. According to me minorities are the strength of our nation. Of course anybody can say that we have got 82 per cent majority and only 18 per cent minority. But can we overlook them ? If we overlook them, can it be called a democracy ? What had gone wrong due to the lack of Common Civil Code in this country ? Have we progressed or not despite not having a Common Civil Code ? So, Common Civil Code is a luxury for any country and we cannot afford to have that luxury.

We cannot afford to have that luxury. We have to take into consideration the aspirations of all the minorities of this country. So, my submission is that a common civil code may be desirable but not practicable. Desirability and practicability are different. So, my submission is that as the Supreme Court, in other cases has. . .*(Interruptions)*.

MR. CHAIRMAN : Mr. Jos, please resume your seat. We have to extend the time for this Bill.

Hon. Members, we had decided that this discussion will go up to 5.37 p.m. Still there are six more speakers. So, I suggest that we extend the time for this Bill by some more time to accommodate all the Members. Is the House agreeable ?

SEVERAL HON. MEMBERS : Yes.

MR. CHAIRMAN : Thank you. So, we extent the time. Mr. Jos, you may continue your speech.

SHRI A.C. JOS : Sir, I will not take much time of the House. I would say that the Supreme Court itself has said that the very foundation or the very basic structure of the Constitution cannot or changed. By enacting a common civil code, we will be changing the very structure of the Constitution. The basic structure of the Constitution is its democratic nature. Worshipping any place and practising any personal law which is not detrimental to society is a Fundamental Right. I have been repeatedly saying that for the past fifty years, we have been able to pull on with that. So, my submission is that a common civil code is absolutely impractical. Any common civil code will be against the basic foundation of the Constitution and hence this Constitution Amendment Bill cannot be considered and cannot be passed.

[Translation]

SHRI SATYA PAL JAIN (Chandigarh) : Mr. Chairman, Sir, I rise to support the Constitution Amendment Bill brought forwarded by my colleague Shri Bhagwan Shankar Rawat.

When to the Emergency was imposed in India, the Constitution of India was amended the. I was an opponent of the Emergency and the then Government, had put us in jail because we opposed the Emergency. I underwent imprisonment in Chandigarh for about one year. We were opposing the policies of the Government throughout Emergency, however, a good thing had happened during Emergency not and it was welcomed by the country, we welcome it even to this day. That welcome feature was the inclusion of the fundamental duties of the citizens through an amendment in the Constitution which already contained the Fundamental Rights of the Citizens. Whereas through that amendment the citizens rights were included in the constitution, today Rawatji seeks to include certain

duties of the Central Govt. also in it through the present amendment. He seeks deletion of Article 44 from Directive Principles of the Constitution and inclusion of the Government's Fundamental Duties in Article 51.

Mr. Chairman, Sir, I have carefully listened to the arguments put on forward by the hon. Members. Today it is being argued that it that is inserted in the Constitution, at will bad to conversions somewhere religion putting up of opposition to some or the other religion somewhere else and controversies involving questions regarding following of one or other religion. I wish to submit to the followers of all the religions that the concept of a common civil code was put in the constitution not by us but by the makers of the Constitution. Today we are being branded as communal and non-secular for making such a demand, When the Constituent Assembly drafted Article 44, it had no member from the Bhartiya Janata Party. It had great leaders of the country like Dr. Ambedkar and Dr. Rajendra Prasad. Bhartiya Janata Party was formed as late as 1980 and the makers of Indian Constitution had framed the Constitution much before that if it is argued today that it is communal to talk of a common civil code, then I would say with due respects that first they have to brand all those makers of the Indian constitution as communal. Were Dr. Ambedkar, Dr. Rajendra Prasad and Pandit Jawahar Lal Nehru Communal ?

[English]

SHRI A.C. JOS : Shri Jain, you mentioned about the Directive Principles. I have also mentioned about them. But have we enacted all that is mentioned in the Directive Principle of the Constitution ? *(Interruptions)*

[Translation]

PROF. RASA SINGH RAWAT (Ajmer) : These who were holding the reins of power till recently to are responsible for this.

[English]

SHRI SATYA PAL JAIN : I am going to reply to that point. I will be dealing with your argument.

[Translation]

Therefore, Mr. Chairman, to say today that secularism is not there is, I think like insulting the Indian constitution. The Constitution of India has accepted the principle of a common civil code. The only question that may arise is whether it should be implemented immediately or sometime later. What is the meaning of code. Very incorrect things have been uttered. One gentleman here was saying just now that the mode of marriage differs from man to man. It was never the intention of the makers of the constitution to interfere, through of common civil code, with the modes of marriage under various religions. Even today the Hindu Marriage Law is not applicable to 80 per cent of the country's population. Do they all marry in one and the same way. If you want to marry in under the Sikh Panth, you have to undertake recitation of Guru Granth Saheb while marrying, take four Lavans after 12.00 O'clock in the noon and then marriage is taken to have been performed. Marriage can also be performed by taking rounds around the sacred fire. The methods of taking rounds *(Pheras)* around the sacred fire to are different with Arya Samaj, Sanatana Dharm and Jain Community. No one presents you from marrying in a particular way. Who says that you make the marriage this way or that. However what cannot be permitted is to indulge in activities prejudicial to the interests of the country and the society, under the cover of safe guarding one's religion. It has been argued that we need to take the people in confidence and take their consent, that the Muslim community does not agree to a common civil code, therefore we should not impose a common code, if laws are made by asking for the people's consent, nothing will emerge. I would put a question here, If you go to universities, colleges or schools, hardly 5o per cent of the studying children will support the anti-copying act, they will rather say that they should be at liberty to copy in their exams. Now the question is whether we shall be withdrawing the anti-copying Act on that account.

Similarly so far as landlord and tenant dispute is concerned, no landlord wants that Rent Control Act should be implemented. Every landlord wants the Rent Control Act should be withdrawn so that he may rent out his buildings and get it so vacated at will. So, whether the Rent Control Act will be withdrawn at the behest of landlords ? If same people indulge in theft activities, whether the legislation enacted to check theft will be withdrawn ? Traders indulge in black marketing and Government employees indulge in corruption and if they are asked, they would also say that they should have the permission to indulge in corruption. However, whether we will withdraw the Prevention of Corruption Act at their behest ? It is being stated in the court that the prevention of Corruption Act does not apply on M.P.s and M.L.A.s, so whether the M.P.s unit be prosecuted under Prevention of Corruption Act ? I can give you not are but several instances.

[Shri Satya Pal Jain]

Mr. Chairman, Sir, Shri Simranjit Singh Mann was elected to Lok Sabha from Punjab the said that he would like to bring away 12 foot long sword with him in the House. But the House stated very furiely that this is the Parliament of India. If he could bring a six inch long sword, if no demind, otherwise he would not be allowed to attend the House. would that be termed as interference in religions matters ?

Mr. Chairman, Sir, Land Act was enacted, under which thousands of acess of land was given to the tenants. These who feel that firstly the consent of Muslims should be sought about it and as long as they do not agree, this law should not be implemented. If the opinion of land-arners were to be sought nobody would have agreed to the proposal of distribution of his land amongst the small farmers. So whether that legislation should be withdrawn ? Hence this argument does not hold water that the legislation enacted in the interest of nation would be implemented only after seeking their opinion. I can say it in the House with surety that there are scores of such laws which will have to be withdrawn and cancelled in this case. why does not the Government want to implement single Uniform Civil Code. Whether there is any rationale behind it. Just now Shri Banatwalla was quoting the percentages regarding Muslims and Hindus. So you should be pleased if polygamy is checked. If percentage of such cases is more in Hindu Community and lesser in Muslims, you should not have objection at all. I am a lawyer, I have also gone through the Muslims personal Law. I would like to ask as to whereis it has been stated in the Muslims law, Muslim religions edicts or the Holy Quran that a Muslim can marry four times. Whether anyone in the House can tell us as to wherein the validity of four marriages has been upheld in the Muslim religion. It is true that if a son is not born, a person is allowed to marry four times. But nowhere it has been mentioned in any religion that one is free to marry four times unconditionally. How can we accept this argument in the present circumstances. There are many problems and difficulties. Our population is increasing manifold.

[English]

MR. CHAIRMAN : Shri Satya Pal Jain, please stop for one minute. We have to discuss a very important Bill. Shri Ram Naik has raised the matter of this Aquaculture Bill. The Minister of Agriculture will make an announcement.

SHRI JAGAT VIR SINGH DRONA : I think that the time for Private Member's Business should not be curtailed.

MR. CHAIRMAN : I know that. Since a very important matter was raised before you came and the Minister was to move this Bill, he may be allowed to make a submission for one minute.

[Translation]

PROF. RASA SINGH RAWAT (Ajmer) : Right now we are discussing Private Members Business. Which bill are you talking about ?

[English]

MR. CHAIRMAN : It is not the Bill. It is same other announcement.

[Translation]

PROF. RASA SINGH RAWAT : That can be taken up later on.

[English]

MR. CHAIRMAN : It is same court judgement about which he wants to make a statement

[Translation]

THE MINISTER OF AGRICULTURE EXCLUDING THE DEPARTMENT OF ANIMAL HUSBANDARY AND DAIRY-ING (SHRI CHATURANAN MISHRA) : Mr. Chairman, Sir, I had given a notice for introducing a Bill regarding Aqua-culture in the House but the Supreme Court has given granted stay in this regard and has stopped demolition. In view of this, I won't be able to introduce the Bill today. After going through the judgement delivered by the Supreme Court, this bill will be introduced in the House later on. This was what I wanted to in form the House.

[English]

SHRI MADHUKAR SARPOTDAR : Sir, this Bill should be referred to the Select Committee. That is my submission.

MR. CHAIRMAN : He is not introducing the Bill today in view of the Supreme Court Judgement. The Supreme Court has stayed this order.

SHRI MADHUKAR SARPOTDAR : When will the Bill be taken up in the House ...*(Interruptions)*

MR. CHAIRMAN : The Bill is not yet introduced in the House.

(Interruptions)

MR. CHAIRMAN : Now, it is the time for Private Member's Business. Let us not take more time. It is now understood that we are not taking it up.

Shri Satya Pal Jain may continue his speech.

[Translation]

SHRI SATYA PAL JAIN : I am pleased to note that Hon'ble Minister of Agriculture invited our attention towards the Judgement delivered by the Supreme Court. That is what I would like to submit that this should not be the case that wherever the judgement delivered by Supreme Court is found suitable by the Government, it is accepted and in case it is not found favourable, it is not accepted. As for the subject on which I am speaking today, the Supreme Court has already given directions for having uniform Civil code. If the Government accepts this judgement, it would be appreciable *(Interruptions)*

I was speaking about the increase in population in the country. Our population has increased manifold. It has crossed the 90 crores mark. *(Interruptions)*

[English]

MR. CHAIRMAN : Please maintain order in the House.

(Interruptions)

PROF. RASA SINGH RAWAT : Sir, what is going on in the House ? *(Interruptions)*

SHRI RAM NAIK : Sir, I went out in connection with some important matter on this Aquaculture Bill. I want to say something about this Bill.

MR. CHAIRMAN : Can we do it now ?

SHRI RAM NAIK : Sir, this matter must be discussed after six o'clock. If the Minister has said that he does not want to introduce the Bill, I would like to say that the Supreme Court has given the extension up to 30th April. Now, that Bill has been passed by Rajya Sabha. So, I propose that a Select Committee of seven or eleven Members should be constituted. That Committee can report in the first week of the next part of this Session, may be on 23rd or 24th. If that is done, the Bill will be seen properly and the things can be worked out. Otherwise, the Government will be having a problem. In the Rajya Sabha, it has been passed. So, my suggestion would be that if the Select Committee is constituted, the Committee can very well go through the Bill and report to the Parliament. The Bill will be seen in a proper spirit. Accordingly, I have given the resolution when I came to know of the Supreme Court Judgement. This can be discussed afterwards. But this is a very serious and important matter.

MR. CHAIRMAN : He will take up this matter at six O'Clock.

Shri Satya Pal Jain may continue now.

[Translation]

SHRI SATYA PAL JAIN : Mr. Chairman, Sir, I wanted to draw the attention of the House towards the population increase in our country. In any hospital, if there is arrangement for handling 500 patients one would find 10,000 patients there. Similarly if any school has a capacity of imparting education to 1,000 children, one would find 10,000 children of seeking admission. Take the case of Railway buses, schools, colleges or hospitals, one would find them in very bad condition due to increase in population. It is not as if only a particular political party is concerned about this issue. Whichever political party one may be affiliated to whichever religion are might be following, and whichever language he might be speaking, all of us will have to pay attention to this problem. If we are unable to Control our increasing population, we may make any number of announcement here, we may formulated major schemes and we may provide more end more funds but even then all our schemes are likely to fail in view of the increasing population. Hence the need of the hour is to check the increase in population.

I would like to ask as to which muslim country throughout the world is allowing four marriages ? In that case, how it is being claimed in our country that it is allowed in the muslim religion. Emphasis is being laid on practising monogamy in all the Muslim Countries throughout the world in order to keep a check an population. Just how a number of the Marxist Communist Part was saying that he was in favour of uniform civil code but still he was not in favour of this Bill. I would like to ask him to tell me about any such Communist Country in the world, whether that country may here been disintegrated or still united where four marriages have been allowed ? When our brother go over to U.K., U.S.A. or any other foreign country, they are allowed to marry as per the law applicable there however here we allow them to marry more than once and that there should be no interference in their religions matters.

Mr. Chairman, Sir, we will also have to take into

[Shri Satya Pal Jain]

account the financial constraints arising as a result thereof. Some people claim to espouse the cause of Muslims and advocate four marriages but I feel that those very persons have caused the maximum harm to the muslims. In this period of financial constraints, when inflation has risen to such an extent that it is proving to be very difficult for each and every person to maintain his family. If someone earning Rs. 10,000 a month finds it difficult to maintains a family comprising of his wife and two children, how would such a person be able to maintain his family whose family comprises of 10-12 children.

We have seen that there who kept an speaking in favour of muslim, did not do anything to improve their standard of living. They may have become Ministers or Members of Parliament or might here reached places by using the Muslim card but they have not been able to guide or provide relief to the ordinary Muslim women who are suffering.

Hence we will have to consider this issue from economic point of veiw also. I fail to understand the reasons for opposing the uniform civil code. How does it interfere in anyone's religious matters. Please tell me as to which other country has any such law under which a woman who has left behind her parents to marry a person and who has given him two or three children is turned out of the maturanial house in a minute or a few seconds just by saying 'Talaq' thrice and the relationship is considered to be over. This is not acceptable under any law throughout the worid. I am surprised at this attitude. When some member mentions any incident of rape of dalit woman in a village or any such other incident is mentioned here, we hold discussion as the atrocities being committed on women.

17.54 hrs.

(MR. SPEAKER *in the chair)*

But when a Muslim women is treated in such a shabby manner, these speaking in her favour are termed as communal. Whether the Muslim women living in India are any different from other women ? Don't they have any right to get any relief ? How long we will torment the Muslim women by keeping them locked up in he houses and how long we will avoid the issue of her rights.

As far those who claim that it is allowed in Muslim religion to marry four times, I would like to throw a challenge to them that they should not interfere and should instead let the Muslim women of India decide themselves. If you give the muslim women the right to decide their ow fate, I can say for sure that they will definitely decic against the practice of polygamy.

We want an Uniform Civil Code in this countr Whether we will not introduce it far our Muslim wome Just now my colleague Shri Nitish Bharadwaj was speakir on it. Mr. Speaker, Sir, you were also with as in conference.

Mr. Speaker, Sir, in several muslim countrles, musli women do not have a right to vote. Probably in Sau Arabia, Muslim women do not have right to vote, not speak of becoming M.P. therefore it is not a religiou matter. The point is that we have to Check atrocities beir committed on women which is possible only through th introduction of a Uniform Civil Code.

Mr. Speaker, Sir, just now a reference was made the Supreme Court. Shri Basu was saying that no rulir has been given by the Supreme Court in this regard. Th apex court has just expressed their will. But I would lik to quite a paragraph of the ruling given by the Count whic is as follows :-

[English]

> "When more than 80 percent of citizens have alread been brought under the codified personal law, ther is no justification whatsoever to keep in abeyance ar more the introduction of a Uniform Civil Code for a citizens in the territory of India.

[Translation]

After reading out this extract of the judgement, I wou like to ask him whether still anyone can say that th Supreme Court have not given a ruling in this regard ? Th Apex Court had given the Government two months tim to take some steps in pursuance of their ruling und intimation to them. But today we are not ready to acce that verdict.

Mr. Speaker, Sir, it is quite sirprising that the peop who advised us to accept the judgement of the Suprem Court in the Ayodhya case, are now saying that this not a ruling, rather the Court has this in the simply desire so in this case. I want to know from them as to what the language in which the Supreme Court of Hight Cou write their decisions. Which other text. could be more cle than this ? Today I request these people, who we advising us to accept the decision of the court, that if yc do not want to listen to us at all, please think over th

decision given by the Supreme Court atleast.

Mr. Speaker, Sir, Shri Banatwala Sahab has made a point. He said that 'Ha' and 'Ma' Hindi alphabates of 'Ham' stands for Hindu and Muslim respectively. If 'Ham' are united, no doubt the country will also remain united. A person living in this country be he/she a Hindu or Muslim or Christian or Sikh or Arya Samaji or Jain—is a citizen of this country. We pay him full regard. If they are united, the country is united. But this is not correct to say that if people of two different religions live together, country can not remain united. The country has remained united since time immemorable. The country was one when our muslim brethren were not living in this country and the country were not living in this country and the country has remained are when they are living in India. It will remain one in future also. It's unity does not depend on anybody's sweet will. We were one but I want to know as to why did his party allow the partition of the country in 1947 ? Why did not you stand up and say that we are one. We do want to part from each other. Do not divide us into two nations. My submission is that this country does not depend on the whims of two communities or two parties. Every country has got its own history and ours is also a very old history. Some people say that our history is five thousand years old and some say that it is five lakh years old. When as some others say that Mahabharat dates back to thousand years old period. Thus, the history of this country is very-very old. Think of these myriad of people who laid there lives for this country. Go through the annuals of Sikh history and you will find that they laid their lives while fighting against the Mughal Experors. Many people were bricked up alive. They have built this country. If a couple of people like you join hands with each other and claim that we are one and so is our country. Merely your saying so will not keep this country united.

Mr. Speaker, Sir, I through you, want to say that we are secular because Hindus are in majority in this country. I want Shri Banatwala Sahab to let me know the name of even a single country where muslims are in majority but still that is a secular state. I think there is no such state. Only Hindustan is a country which is secular and not theocratic inspite the fact that Hindus are in majority in this country. No country is a secular state where muslims are in majority. All of them are a theocratic state. Therefore I want to say that secularism is in our blood. This country was never divided in the name of Hindu-Muslim, not it will be divided in the future also. I think you are well aware of the pathetic condition of Hindus in Pakistan. And you are also aware of the condition of the muslims in Pakistan. Every muslim living in our country is a citizen of India and he is entitled for full respect. He has got the equally respectable status. There is no threat to his life. But in case somebody attempts to tear the tricolour of our country and celebrates the victory of Pakistan in a match against India then Shri Banatwala Ji we will never tolerate such things. Traitor is a traitor- be he Hindu or muslim or Christian or Sikh. A traitor has got no religion to follow. Likewise a patriot has also got no particular religion. The people whose loyality is with this country and who are with this country, will be provided full protection but the people who are found indulging in anti-national activities have got no place in this country. We will not tolerate them at all. So please do not talk like this.

18.00 hrs.

Further, you have referred to the articles 369, 370 and 371. Banatwala Ji if you go through the constitution, it is written in beginning of that Chapter of Constitution that these are the transitional and temporary articles. If you want, I can read them out and explain the same. These are not permanent articles. These articles were provided for the time being.

Ultimately not have to bring everyone in the main stream. Therefore do not take the support of those transitional and temperary articles. By doing so, you can not oppose the introduction of a Uniform Civil Code.

I want to let you know that you have tried to oppose it by giving the example of Ambedkar.

[English]

MR. SPEAKER : It is 6 o'clock now. The time allotted for this Private Member's Bill is already exhausted. There are three or four more speakers left. So, Shall we extent the time by one hour and then take it up next time ?

SEVERAL HON. MEMBERS : Yes.

18.01 hrs.

MESSAGES FROM RAJYA SABHA

[English]

SECRETARY-GENERAL : Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha :-